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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/040,172	10/23/2001	Robert David Schofield	NL 000585	9000

24737 7590 09/07/2005

PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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BRIARCLIFF MANOR, NY 10510

EXAMINER

AL AUBAIDI, RASHA S

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 09/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

1. The reply brief filed on 05/18/2005 has been entered and considered. The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.

Remarks

2. The final office action (7/14/2004) clearly stated "Claim Rejections-35 USC § 103", "Claims 17-19...unpatentable over Wood et al", "Wood does not teach ...", "It would have been obvious to one of ordinary skill in the art to ...in order to [motivation]." One with basic knowledge of patent law would readily and immediately appreciate that the above is a rejection under 35 U.S.C. 103, even though the office action included a simple, harmless typographical error referring once to "102(b)". The office action, as a whole, is positively clear.

In any event, the Examiner's Answer removed any possibility of misinterpretation and positively demonstrated that the rejection was under 35 U.S.C. 103. Appellant could have still addressed, in the Reply Brief, the 103 rejection as a possible "new ground of rejection" in the Examiner's Answer. Appellant, instead, continued to address the 103 rejection as a 102 rejection.

The term "operatively associated" is very broad.

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The repeated reference to the Examiner by name in the Reply Brief is very unusual and unwarranted. Normally, Applicants are not referred to by their name and Examiners are not repeatedly referred to by name. Examiner's name was specifically mentioned at least 8 times in the Reply Brief filed 05/18/2005. On page 11 of the Reply Brief, Appellant referred to "**This failure of Al Aubaidi...**". This appears to be a personal issue. Further, page 10 of the Reply Brief incorrectly refers to the Examiner as "he". Examiner Rasha Al-Aubaidi is a "she".

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rasha S AL-Aubaidi whose telephone number is (571) 272-7481. The examiner can normally be reached on Monday-Friday from 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F. Matar, can be reached on (571) 272-7488.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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A handwritten signature in black ink, appearing to read "Ahmad Matar". The signature is fluid and cursive, with the first name "Ahmad" and last name "Matar" clearly distinguishable.

AHMAD MATAR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

Examiner
Rasha S. Al-Aubaidi
Art Unit 2642
09/02/2005